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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/633,754	08/07/2000	Abdullah Ali Bahattab	1	3383

22897 7590 12/18/2003

DEMONT & BREYER, LLC
SUITE 250
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HOLMDEL, NJ 07733

EXAMINER

SCHULTZ, WILLIAM C

ART UNIT PAPER NUMBER

2664

DATE MAILED: 12/18/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/633,754

Applicant(s)

BAHATTAB, ABDULLAH ALI

Examiner

William C. Schultz

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3 is/are rejected.
- 7) ☒ Claim(s) 2 and 4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1,3 are rejected under 35 U.S.C. 102(e) as being anticipated by Zaumen et al. [U.S. Pat. 6,118,760].

Regarding claim 1, Zaumen et al. discloses a router comprising:

an input port for receiving a succession of packets, wherein each of said packets comprises a destination address; (**fig. 1, part 110; col. 4, line 68 – col. 5, line 5; col. 5, lines 40-44**)

a plurality of output ports; (**fig. 1, parts 120 and on**)

a switching fabric for interconnecting said input port to each of said plurality of output ports; (**fig. 1, part 141; col. 5, lines 16-18**)

a processor for building a temporal model (**col. 8, lines 21-28 – a timer is a temporal model**) of the occurrence of said destination addresses at said input port, (**fig. 1, part 130; col. 5, lines 18-21; col. 5, lines 46-48 – packets contain headers which are evaluated against entries in a forwarding memory; col. 6, lines 2-6 – discloses flow entries include destination addresses obtained from packets; col. 8, lines 8-11 – entry is created; col. 8, lines 18-20 – associated with the entry is a aged destination field**) for populating said routing table cache based on said temporal model and at least one entry that is stored in a routing table (**col. 8, lines 8-11 – entry is created; col. 8, lines 18-20 – associated with the entry is a aged destination field**), and for routing at least one of said packets from said input port to one of said output ports through said switching fabric based on said entry that is stored in said routing table cache. (**col. 7, lines 39-44 – packets are forwarded that match an entry in the table**)

Regarding claim 3, Zaumen et al. discloses a method comprising:

receiving a temporal succession of packets at an input port, wherein each of said packets comprises a destination address; (**fig. 1, part 110; col. 4, line 68 – col. 5, line 5; col. 5, lines 40-44**)

generating a temporal model (**col. 8, lines 21-28 – a timer is a temporal model**) based on the occurrence of said destination addresses; (**col. 5, lines 18-21; col. 5, lines 46-48 – packets contain headers which are evaluated against entries in a forwarding memory; col. 6, lines 2-6 – discloses flow entries include destination**

addresses obtained from packets; col. 8, lines 8-11 – entry is created; col. 8, lines 18-20 – associated with the entry is a aged destination field)

populating a routing table cache based on said temporal model and at least one entry that is stored in a routing table; and table **(col. 8, lines 8-11 – entry is created; col. 8, lines 18-20 – associated with the entry is a aged destination field)**

forwarding at least one of said packets from said input port to one of a plurality of output ports based on said entry that is stored in said routing table cache. **(col. 7 ,lines 39-44 – packets are forwarded that match an entry in the table)**

Allowable Subject Matter

Claims 2,4 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Schultz whose telephone number is 703-305-2367. The examiner can normally be reached on M-F(7-4)(first bi-week) M-Th(7-4)(second bi-week).

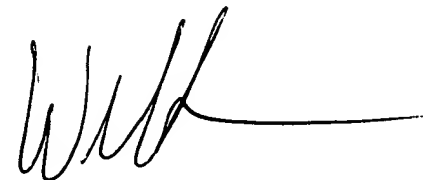
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 703-305-4366. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9314.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

William Schultz
December 11, 2003

A handwritten signature in black ink, appearing to read 'W. Chin', followed by a long horizontal line extending to the right.

**WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**